

REMARKS/ARGUMENTS

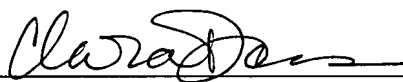
The election/restriction requirement dated May 4, 2007 has been considered. The Applicant elects the claims of species 5, directed to detection of sleep disordered breathing, species A, directed to detecting a disordered breathing event using respiration patterns, species I, directed to a disordered breathing classification system having a transthoracic impedance sensor, and species i, directed to a motion sensor having an accelerometer without traverse. The Examiner has identified claims 1-3, 17-36, and 52-76 as generic. Applicant submits that claims 1-3, 8, 9, 11, 12, 17-38, 43, 47, and 52-76 read on species 5, species A, species I, and species i.

Note that the Applicant assumes that the Office Action intended to require species election between species i-v which involve patentably distinct species of motion sensors, rather than disordered breathing classification systems. Applicant has elected species i based on this assumption. If this assumption is in error, Applicant reserves the opportunity to present further arguments regarding the propriety of the election requirement.

If the Examiner would find it helpful to discuss this issue by telephone, the undersigned attorney of record invites the Examiner to contact the attorney of record.

Respectfully submitted,

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